

AMENDED IN SENATE MAY 22, 2014

AMENDED IN ASSEMBLY APRIL 21, 2014

AMENDED IN ASSEMBLY APRIL 3, 2014

AMENDED IN ASSEMBLY MARCH 11, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2707

Introduced by Assembly Member Chau
(Coauthor: Assembly Member Chávez)

February 21, 2014

An act to amend Section 35400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2707, as amended, Chau. Vehicles: length limitations: buses: bicycle transportation devices.

Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation a bus, except a schoolbus, operated by a public agency or a passenger stage corporation, as defined, used in transit system service if the bus is equipped with a folding device attached to the front of the bus that is designed and used exclusively for transporting bicycles, that device does not materially affect efficiency or visibility of vehicle safety equipment, and the length of the bus, exclusive of that device, does not exceed 40 feet in length. In addition, existing law prohibits the above-described device from extending more than 36 inches from the front body of the bus when fully deployed, and prohibits a bicycle that is transported on that device from having the

bicycle handlebars extend more than 42 inches from the front of the bus.

This bill would increase the lengths described in the exemption above from 36 to 40 inches, and from 42 to 46 inches.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35400 of the Vehicle Code is amended
2 to read:
3 35400. (a) A vehicle may not exceed a length of 40 feet.
4 (b) This section does not apply to any of the following:
5 (1) A vehicle used in a combination of vehicles when the excess
6 length is caused by auxiliary parts, equipment, or machinery not
7 used as space to carry any part of the load, except that the
8 combination of vehicles shall not exceed the length provided for
9 combination vehicles.
10 (2) A vehicle, when the excess length is caused by any parts
11 necessary to comply with the fender and mudguard regulations of
12 this code.
13 (3) (A) An articulated bus or articulated trolley coach that does
14 not exceed a length of 60 feet.
15 (B) An articulated bus or articulated trolley coach described in
16 subparagraph (A) may be equipped with a folding device attached
17 to the front of the bus or trolley if the device is designed and used
18 exclusively for transporting bicycles. The device, including any
19 bicycles transported thereon, shall be mounted in a manner that
20 does not materially affect efficiency or visibility of vehicle safety
21 equipment, and shall not extend more than 36 inches from the front
22 body of the bus or trolley coach when fully deployed. The
23 handlebars of a bicycle that is transported on a device described
24 in this subparagraph shall not extend more than 42 inches from
25 the front of the bus.
26 (4) A semitrailer while being towed by a motortruck or truck
27 tractor, if the distance from the kingpin to the rearmost axle of the
28 semitrailer does not exceed 40 feet for semitrailers having two or
29 more axles, or 38 feet for semitrailers having one axle if the
30 semitrailer does not, exclusive of attachments, extend forward of
31 the rear of the cab of the motortruck or truck tractor.

1 (5) A bus or house car when the excess length is caused by the
2 projection of a front safety bumper or a rear safety bumper, or
3 both. The safety bumper shall not cause the length of the vehicle
4 to exceed the maximum legal limit by more than one foot in the
5 front and one foot in the rear. For the purposes of this chapter,
6 “safety bumper” means any device that is fitted on an existing
7 bumper or which replaces the bumper and is constructed, treated,
8 or manufactured to absorb energy upon impact.

9 (6) A schoolbus, when the excess length is caused by the
10 projection of a crossing control arm. For the purposes of this
11 chapter, “crossing control arm” means an extendable and retractable
12 device fitted to the front of a schoolbus that is designed to impede
13 movement of pupils exiting the schoolbus directly in front of the
14 schoolbus so that pupils are visible to the driver while they are
15 moving in front of the schoolbus. An operator of a schoolbus shall
16 not extend a crossing control arm while the schoolbus is in motion.
17 Except when activated, a crossing control arm shall not cause the
18 maximum length of the schoolbus to be extended by more than 10
19 inches, inclusive of any front safety bumper. Use of a crossing
20 control arm by the operator of a schoolbus does not, in and of
21 itself, fulfill his or her responsibility to ensure the safety of students
22 crossing a highway or private road pursuant to Section 22112.

23 (7) A bus, when the excess length is caused by a device, located
24 in front of the front axle, for lifting wheelchairs into the bus. That
25 device shall not cause the length of the bus to be extended by more
26 than 18 inches, inclusive of any front safety bumper.

27 (8) A bus, when the excess length is caused by a device attached
28 to the rear of the bus designed and used exclusively for the
29 transporting of bicycles. This device may be up to 10 feet in length,
30 if the device, along with any other device permitted pursuant to
31 this section, does not cause the total length of the bus, including
32 any device or load, to exceed 50 feet.

33 (9) A bus operated by a public agency or a passenger stage
34 corporation, as defined in Section 226 of the Public Utilities Code,
35 used in transit system service, other than a schoolbus, when the
36 excess length is caused by a folding device attached to the front
37 of the bus which is designed and used exclusively for transporting
38 bicycles. The device, including any bicycles transported thereon,
39 shall be mounted in a manner that does not materially affect
40 efficiency or visibility of vehicle safety equipment, and shall not

1 extend more than 40 inches from the front body of the bus when
2 fully deployed. The handlebars of a bicycle that is transported on
3 a device described in this paragraph shall not extend more than 46
4 inches from the front of the bus. A device described in this
5 paragraph may not be used on a bus that, exclusive of the device,
6 exceeds 40 feet in length or on a bus having a device attached to
7 the rear of the bus pursuant to paragraph (8).

8 (10) (A) A bus of a length of up to 45 feet when operating on
9 those highways specified in subdivision (a) of Section 35401.5.
10 The Department of Transportation or local authorities, with respect
11 to highways under their respective jurisdictions, may not deny
12 reasonable access to a bus of a length of up to 45 feet between the
13 highways specified in subdivision (a) of Section 35401.5 and points
14 of loading and unloading for motor carriers of passengers as
15 required by the federal Intermodal Surface Transportation
16 Efficiency Act of 1991 (Public Law 102-240).

17 (B) A bus operated by a public agency and on those highways
18 specified in subparagraph (A) may be equipped with a folding
19 device attached to the front of the bus that is designed and used
20 exclusively for transporting bicycles. The device, including all
21 bicycles transported thereon, may be mounted in a manner that
22 does not materially affect efficiency or visibility of vehicle safety
23 equipment, and may not extend more than 36 inches from the front
24 body of the bus when fully deployed. The handlebars of a bicycle
25 that is transported on a device described in this subparagraph may
26 not extend more than 42 inches from the front of the bus. The total
27 length of the bus, including the folding device or load, may not
28 exceed 48.5 feet. A Route Review Committee, established under
29 this subparagraph, shall review the routes where a public agency
30 proposes to operate a 45-foot bus equipped with a ~~front-mounted~~
31 *front-mounted* bicycle rack. The Route Review Committee shall
32 be comprised of one member from the public agency appointed
33 by the general manager of the public agency; one member who is
34 a traffic engineer and is employed and selected by the public
35 agency that has jurisdiction over the largest proportional share of
36 routes among all affected agencies; and one member appointed by
37 the labor organization that is the exclusive representative of the
38 bus drivers of the public agency. If there is no exclusive
39 representative of the bus drivers, a bus driver member shall be
40 chosen by a majority vote of the bus drivers employed by the

1 agency. The members of the Route Review Committee shall be
 2 selected not more than 30 days after receipt of a public agency
 3 proposal to equip a 45-foot bus with a ~~front-mounted~~ *front-mounted*
 4 bicycle rack. The review shall include a field review of the
 5 proposed routes. The purpose of the Route Review Committee is
 6 to ensure the safe operation of a 45-foot bus that is equipped with
 7 a ~~front-mounted~~ *front-mounted* bicycle rack. The Route Review
 8 Committee, by a unanimous vote, shall make a determination of
 9 which routes are suitable for the safe operation of a 45-foot bus
 10 that is equipped with a ~~front-mounted~~ *front-mounted* bicycle rack.
 11 These determinations shall be consistent with the operating
 12 requirements specified in subparagraph (A). It is the intent of the
 13 Legislature that the field review required under this subparagraph
 14 include consultation with traffic engineers from affected public
 15 agencies that have jurisdiction over segments of the route or routes
 16 under review, to ensure coordination with all-~~effected~~ *affected*
 17 state and local public road agencies that may potentially be
 18 impacted due to the operation of a 45-foot bus with a ~~front-mounted~~
 19 *front-mounted* bicycle rack.

20 (11) (A) A house car of a length of up to 45 feet when operating
 21 on the National System of Interstate and Defense Highways or
 22 when using those portions of federal aid primary system highways
 23 that have been qualified by the United States Secretary of
 24 Transportation for that use, or when using routes appropriately
 25 identified by the Department of Transportation or local authorities,
 26 with respect to highways under their respective jurisdictions.

27 (B) A house car described in subparagraph (A) may be operated
 28 on a highway that provides reasonable access to facilities for
 29 purposes limited to fuel, food, and lodging when that access is
 30 consistent with the safe operation of the vehicle and when the
 31 facility is within one road mile of identified points of ingress and
 32 egress to or from highways specified in subparagraph (A) for use
 33 by that vehicle.

34 (C) As used in this paragraph and paragraph (10), “reasonable
 35 access” means access substantially similar to that authorized for
 36 combinations of vehicles pursuant to subdivision (c) of Section
 37 35401.5.

38 (D) Any access route established by a local authority pursuant
 39 to subdivision (d) of Section 35401.5 is open for access by a house
 40 car of a length of up to 45 feet. In addition, local authorities may

1 establish a process whereby access to services by house cars of a
2 length of up to 45 feet may be applied for upon a route not
3 previously established as an access route. The denial of a request
4 for access to services shall be only on the basis of safety and an
5 engineering analysis of the proposed access route. In lieu of
6 processing an access application, local authorities, with respect to
7 highways under their jurisdiction, may provide signing, mapping,
8 or a listing of highways, as necessary, to indicate the use of these
9 specific routes by a house car of a length of up to 45 feet.

10 (c) The Legislature, by increasing the maximum permissible
11 kingpin to rearmost axle distance to 40 feet effective January 1,
12 1987, as provided in paragraph (4) of subdivision (b), does not
13 intend this action to be considered a precedent for any future
14 increases in truck size and length limitations.

15 (d) Any transit bus equipped with a folding device installed on
16 or after January 1, 1999, that is permitted under subparagraph (B)
17 of paragraph (3) of subdivision (b) or under paragraph (9) of
18 subdivision (b) shall be additionally equipped with any of the
19 following:

20 (1) An indicator light that is visible to the driver and is activated
21 whenever the folding device is in an extended position.

22 (2) Any other device or mechanism that provides notice to the
23 driver that the folding device is in an extended position.

24 (3) A mechanism that causes the folding device to retract
25 automatically from an extended position.

26 (e) (1) A person may not improperly or unsafely mount a
27 bicycle on a device described in subparagraph (B) of paragraph
28 (3) of subdivision (b), or in paragraph (9) or (10) of subdivision
29 (b).

30 (2) Notwithstanding subdivision (a) of Section 23114 or
31 subdivision (a) of Section 24002 or any other provision of law,
32 when a bicycle is improperly or unsafely loaded by a passenger
33 onto a transit bus, the passenger, and not the driver, is liable for
34 any violation of this code that is attributable to the improper or
35 unlawful loading of the bicycle.